

Dec 05, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEPHANIE M.,

No. 1:19-CV-3105-JTR

v.

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 17. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney L. Jamala Edwards represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

¹Andrew M. Saul is now the Commissioner of the Social Security Administration. Accordingly, the Court substitutes Andrew M. Saul as the Defendant and directs the Clerk to update the docket sheet. *See* FED. R. CIV. P. 25(d).

1 On remand, the administrative law judge (ALJ) will hold a *de novo* hearing
2 and issue a new decision. The ALJ shall: (1) offer Plaintiff the opportunity to
3 submit additional evidence and arguments; (2) further evaluate the opinion
4 evidence; (3) further evaluate Plaintiff's medically determinable impairments at
5 step two; (4) reconsider Plaintiff's residual functional capacity (RFC); (5) seek
6 supplemental vocational expert evidence, if necessary, on whether Plaintiff can
7 perform work with the limitations in the RFC; and (6) give Plaintiff an opportunity
8 for a new hearing.

9 2. **Judgment shall be entered for PLAINTIFF.**

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is
11 **STRICKEN AS MOOT.**

12 4. An application for attorney fees and costs may be filed by separate
13 motion.

14 The District Court Executive is directed to enter this Order, forward copies
15 to counsel, and **CLOSE THE FILE.**

16 DATED December 5, 2019.



A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE